

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES & EXCHANGE COMMISSION,

Plaintiff,

— against —

DANIEL CATTLIN and WILLIAM R. SHUPE,

Defendants.

21-CV-5294 (ARR) (JRC)

NOT FOR ELECTRONIC OR
PRINT PUBLICATION

OPINION & ORDER

ROSS, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated March 8, 2024, from the Honorable James R. Cho, United States Magistrate Judge. *See* R.& R., ECF No. 36. No objections have been filed. The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also* *Brissett v. Manhattan & Bronx Surface Transit Operating Auth.*, No. 09-CV-874 (CBA)(LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011), *aff’d*, 472 F. App’x 73 (2d Cir. 2012) (summary order). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017) (quoting *Est. of Ellington ex rel. Ellington v. Harbrew Imps. Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)). Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, the default motion is granted. Because the Commission submitted an evidentiary basis for its allegations concerning the amount received by Cattlin, I grant disgorgement in the amount of \$107,140, plus prejudgment interest in the amount of \$17,217.62.

I also grant civil penalties in the amount of \$230,464. Finally, I grant injunctive relief in the form of a permanent injunction prohibiting Cattlin from committing further violations of Section 10(b), Rule 10b–5, and Section 17(a) of the Securities and Exchange Acts, and prohibiting Cattlin from participating in any offering of penny stock or acting as an officer or director of a public company.

SO ORDERED.

_____/s/_____
Allyne R. Ross
United States District Judge

Dated: March 25, 2024
Brooklyn, New York